

Message Text

CONFIDENTIAL

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ACTION AF-08

INFO OCT-01 ISO-00 SY-05 CPR-01 USIA-06 CIAE-00 INR-07

NSAE-00 /028 W

-----140634Z 038234 /11

R 131415Z JAN 77

FM AMEMBASSY LILONGWE

TO SECSTATE WASHDC 554

C O N F I D E N T I A L LILONGWE 0063

E.O. 11652: GDS

TAGS: PDIP, PINS, MI

SUBJECT: MALAWI POLICE ENTRY OF USIS LIBRARY

1. ON JANUARY 10, 1977, AT ABOUT 0800 SIX MALAWI NON-UNIFORMED POLICE OFFICERS (PROBABLY CRIMINAL INVESTIGATION DIVISION) ENTERED USIS LIBRARY IN BLANTYRE, BRIEFLY QUESTIONED FSL JUSTIN FUNSANI AND SHORETLY THEREAFTER LEFT WITH FUNSANI IN CUSTODY. ONLY WITNESS WAS LIBRARY JANITOR WHO IS SOURCE OF THIS INFORMATION. ACCORDING TO LATTER, POLICE APPEARED INTERESTED ONLY IN FUNSANI AND DID NOT SEARCH LIBRARY. WE HAVE UNCONFIRMED REPORT FUNSANI HAS BEEN TAKEN TO ZOMBA PRISON.

2. NEITHER POLICE OFFICERS NOR THEIR SUPERIORS REQUESTED PERMISSION TO ENTER USIS PREMISES NOR HAVE THEY OFFERED ANY EXPLANATION OF THIS ACTION.

3. UPON BEING INFORMED MORNING JANUARY 10 BY OTHER USIS EMPLOYEE IN BLANTYRE THAT POLICE HAD ENTERED LIBRARY TO TAKE FUNSANI IN CUSTODY, EMBOFF IMMEDIATELY CALLED GOM MINISTRY EXTERNAL AFFAIRS TO REGISTER EMBASSY'S CONCERN OVER THIS UNAUTHORIZED ENTRY OF EMBASSY PROPERTY AND REQUESTED EXPLANATION. WE LATER LEARNED THAT PROTOCOL OFFICER OF GOM MINISTRY EXTERNAL AFFAIRS CALLED USIS CENTER, BLANTYRE, LATER THAT MORNING TO VERIFY SOME DETAILS WITH LOCAL EMPLOYEE. LATER SAME DAY PROTOCOL OFFICER IN MINISTRY OF EXTERNAL AFFAIRS, WHEN PRESSED FOR

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REPLY TO EMBASSY'S EARLIER REQUEST FOR EXPLANATION, REQUESTED THAT WE SEND THEM A NOTE.

4. ON JANUARY 12 DCM HAND-CARRIED NOTE TO DIRECTOR OF POLITICAL AFFAIRS. NOTE REQUESTED THE ASSISTANCE OF THE MINISTRY IN OBTAINING "A FULL EXPLANATION OF THE EVENTS", STATED THE FACTS OF THE CASE AS WE HAVE THEM AND WENT ON TO

SAY, "AS THE MINISTRY IS AWARE, THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS CONFIRMS THE INVIOABILITY OF THE PREMISES OF A DIPLOMATIC MISSION, INCLUDING THE BUILDINGS, OFFICES, RESIDENCES AND LANDS ANCILLARY THERETO, AND FURTHER INDICATES THAT AGENTS OF THE RECEIVING STATE MAY NOT ENTER SUCH PREMISES ON OFFICIAL BUSINESS EXCEPT WITH THE CONSENT OF THE HEAD OF MISSION. PRIOR CONSENT OF THE HEAD OF MISSION WAS NOT REQUESTED NOR OBTAINED IN THIS CASE, AN OVERSIGHT WHICH HAS RESULTED IN EMBARRASSMENT TO THE EMBASSY AND IN THE COMPROMISE OF A BASIC TENET OF NORMAL DIPLOMATIC PRACTICE. AS EXPRESSED TO THE OFFICE OF PROTOCOL OF THE MINISTRY THE MORNING OF JANUARY 10, 1977, THE EMBASSY REMAINS PROFOUNDLY DISTURBED BY THIS UNUSUAL EVENT." DIRECTOR OF POLITICAL AFFAIRS SAID HE WAS NOT AWARE OF ISSUE (APPARENTLY IT HAD STAYED WITHIN PROTOCOL CHANNELS) AND ACCEPTED THE NOTE WITHOUT COMMENT PROMISING TO LOOK INTO MATTER.

5. EMBASSY WILL CONTINUE TO PRESS GOM FOR FULL EXPLANATION. WE SUSPECT THAT ARREST OF FUNSANI UNRELATED TO USIS OPERATIONS ALTHOUGH WE CAN NEVER BE ABSOLUTELY SURE GIVEN PAST BIZARRE ASPECTS OF SECURITY MATTERS IN MALAWI.

6. JUST PRIOR SENDING THIS CABLE, EMBASSY RECEIVED NOTE FROM MINISTRY EXTERNAL AFFAIRS REPLYING TO OUR NOTE BY SAYING MATTER HAS BEEN REFERRED TO THE COMPETENT AUTHORITIES AND THAT THE EMBASSY WILL BE INFORMED OF THE RESULT IN DUE COURSE.
STEVENSON

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Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 13-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Disposition Remarks:
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TAGS: PDIP, PINS, MI, US, (FUNSANI, JUSTIN)
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